

U.S.A. vs MARCO ANTONIO DAGNINO-ROMERO

No. 08CR738-LAB

The Court finds excludable delay, under the section indicated by check (), commenced on 3/27/08 and ended on 6/16/08; (X7, XT1) _____ and ended on _____.()

3161(h)

- | | | |
|----------------------|--|----|
| <u>(1) (A)</u> | Exam or hrg for mental or physical incapacity | A |
| <u>(1) (B)</u> | NARA examination (28:2902) | B |
| <u>(1) (D)</u> | State or Federal trials or other charges pending | C |
| <u>(1) (E)</u> | Interlocutory appeals | D |
| <u>(1) (F)</u> | Pretrial motions (from flg to hrg or other prompt dispo) | E |
| <u>(1) (G)</u> | Transfers from other district (per FRCrP 20, 21 & 40) | F |
| <u>(1) (J)</u> | Proceedings under advisement not to exceed thirty days | G |
| — | Misc proc: Parole or prob rev, deportation, extradition | H |
| <u>(1) (H)</u> | Transportation from another district or to/from examination or hospitalization in ten days or less | 6 |
| <u>X (1) (I)</u> | Consideration by Court of proposed plea agreement | 7 |
| <u>(2)</u> | Prosecution deferred by mutual agreement | I |
| <u>(3) (A) (B)</u> | Unavailability of defendant or essential witness | M |
| <u>(4)</u> | Period of mental or physical incompetence of defendant to stand trial | N |
| <u>(5)</u> | Period of NARA commitment or treatment | O |
| <u>(6)</u> | Superseding indictment and/or new charges | P |
| <u>(7)</u> | Defendant awaiting trial of co-defendant when no severance has been granted | R |
| <u>(8) (A) (B)</u> | Continuances granted per (h)(8)-use "T" alone if more than one of the reasons below are given in support of continuance | T |
| <u>(8) (B) (I)</u> | 1) Failure to grant a continuance in the proceeding would result in a miscarriage of justice and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial.
(Continuance - miscarriage of justice) | T1 |
| <u>X</u> | 2) Failure to grant a continuance of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted.
(Continuance - tendered a guilty plea) | |
| <u>(8) (B) (ii)</u> | 2) Case unusual or complex | T2 |
| <u>(8) (B) (iii)</u> | 3) Indictment following arrest cannot be filed in thirty (30) days | T3 |
| <u>(8) (B) (iv)</u> | 4) Continuance granted in order to obtain or substitute counsel, or give reasonable time to prepare
(Continuance re counsel) | T4 |
| <u>3161(I)</u> | Time up to withdrawal of guilty plea | U |
| <u>3161(b)</u> | Grand jury indictment time extended thirty (30) more days | W |

Date 3/27/08

JCS
Judge's Initials